

(S) Submitted by: Assembly Member
Rivera

Assembly Member Volland
Assembly Member Bronga

(S) Prepared by: Assembly Counsel's
Office

(S) For reading: May 21, 2024

**ANCHORAGE, ALASKA
AO No. 2024-55(S)**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE**
2 **MUNICIPAL CODE SECTIONS 15.20.020 AND 16.125.065 TO REDUCE THE**
3 **STANDARD 15-DAY PROHIBITED CAMPSITE ABATEMENT NOTICE TO 10**
4 **DAYS; AND TO PRIORITIZE ABATEMENT ACTIVITIES FOR PROHIBITED**
5 **CAMPSITES NEAR PROTECTED USES, WITH MORE THAN 25 TENTS OR**
6 **SHELTER STRUCTURES, AND WITHIN A SPECIFIED DISTANCE OF A**
7 **LICENSED HOMELESS AND TRANSIENT SHELTER.**

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9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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11 **Section 1.** Anchorage Municipal Code 15.20.020 is hereby amended to read as
12 follows (*the remainder of the section is not affected and therefore not set out*):

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14 **15.20.020 -- Public nuisances prohibited, enumeration.**

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16 A. No person shall allow, maintain or permit a public nuisance to exist or
17 allow, maintain or permit recurrence of a public nuisance. Such
18 existence, allowance, maintenance, permitting or recurrence of a
19 public nuisance is a violation of this chapter.

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21 B. Public nuisances include, but are not limited to, the following acts and
22 conditions:

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25 15. Prohibited campsites. A prohibited campsite is an area where
26 one or more persons are camping on public land in violation of
27 section 8.45.010, chapter 25.70, or any other provision of this
28 Code. A prohibited campsite is subject to abatement by the
29 municipality. The municipal official responsible for an
30 abatement action may accomplish the abatement with the
31 assistance of a contractor, association, or organization.
32 Notwithstanding any other provision of this Code, the following
33 procedure may be used to abate a prohibited campsite:

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36 b. A notice of campsite abatement shall identify whether it
37 is a 24-hour wildfire danger area notice, 72-hour notice,
38 10[15]-day campsite notice, ten-day zone notice, or
39 notice to quit. The municipality shall prioritize its
40 campsite abatement actions first on those proximate to

protected land uses described below; secondly on those with over 25 tents, huts, lean-tos, or other shelters; thirdly on those within one-half mile of any licensed homeless shelter as defined in chapter 16.125; and then to other prohibited campsites. [; AND T]The subsequent abatement activities of the municipality shall comply with the respective procedure for removal of a prohibited campsite and the personal property thereon:

* * * * *

ii. Seventy-two hours' notice, protected land use. After verbal notice to an apparent occupant of a prohibited campsite within 100 feet of protected land uses the municipality may post the prohibited campsite with a notice stating all personal property not removed within 72 hours of the date and time the notice is posted may be removed and stored. For the purposes of this section:

- (A) Protected land uses shall include **the following as defined in Title 21 if a definition is provided therein:** paved greenbelt and major trail systems (including but not limited to Coastal, Chester Creek, Ship Creek, Campbell Creek); schools; playgrounds; **licensed childcare centers;** habilitative care facilities; the Harry J. McDonald Memorial Center; community centers; neighborhood recreation centers; and athletic fields.
- (B) The separation distance shall be measured from the lot line of the protected land use to the nearest illegal camp structure.

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iv. Ten [FIFTEEN] days' notice, campsite abatement. The municipality may post a prohibited campsite with a notice stating all personal property not removed within 10[15] days of the date and time the notice is posted may be removed and disposed of as waste, unless sooner claimed or disposal authorized by the owner. At the expiration of this 10[15]-day period the personal property may be disposed of as waste if no person has either given notice or removed property in accordance with this section.

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[NOTE: subsections h.iii. and h.iv. below were not in the original AO, but the current text is added here and then legislative formatting applied to changes in this AO(S) version]

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h. Exceptions:
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iii. Where exigent circumstances posing a serious risk to human life and safety exist, the abatement of a campsite may proceed without prior notice. Personal property removed under this **exception [PARAGRAPH]** shall be stored in accordance with **subsection [SUBPARAGRAPH] 15.20.020B.15.c.**, to the extent reasonable and feasible under the circumstances.

iv. **A prohibited campsite on [WHEN THE] public land [WHERE A PROHIBITED CAMPSITE IS LOCATED IS]** clearly posted with no trespassing signage, no camping signage, or as not being open to the public, including posting of closed hours, **may be abated [THE ABATEMENT OF THE CAMPSITE MAY PROCEED]** without additional notice., **AND AFTER THE O] Occupants of the prohibited campsite shall be [ARE]** provided at least one hour to remove their personal property. Personal property removed under this exception **shall [MAY ONLY]** be disposed of in accordance with chapter 7.25 **and subsection [OR SUBPARAGRAPH] 15.20.020B.15.c.**

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(GAAB 16.68.110, 18.15.020, 18.15.030, 18.20.030, 18.20.060; CAC 8.10.020, 8.10.050; AO No. 113-76; AO No. 78-48; AO No. 79-63; AO No. 93-173(S), § 3, 2-24-94; AO No. 95-42, § 3, 3-23-95; AO No. 2001-145(S-1), § 12, 12-11-01; AO No. 2003-130, § 4, 10-7-03; AO No. 2009-83(S), § 2, 7-7-09; AO No. 2010-43(S), § 1, 6-22-10; AO No. 2010-63, § 1, 9-14-10; AO No. 2011-52, § 1, 4-26-11; AO No. 2016-81(S), § 2, 8-25-16; AO No. 2017-119(S), § 2, 11-9-17; AO No. 2017-130(S), § 1, 12-5-17; AO No. 2018-53(S), § 1, 6-26-18; AO No. 2018-61, § 1, 7-31-18; AO No. 2018-118, § 2, 1-1-19; AO No. 2019-94(S), § 2, 8-6-19)

Section 2. Anchorage Municipal Code section 16.125.065 is hereby amended as follows [(the remainder of the section is not affected and therefore not set out)]:

16.125.065 - Minimizing neighborhood impacts.

* * * * *

B. Municipality of Anchorage Commitment.

1. No tolerance for unlawful loitering, soliciting in streets or roadways, or unauthorized camping within one-half [ONE-QUARTER] mile of a licensed overnight or day shelter. Municipal law and code enforcement shall support this

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commitment as resources allow, subject to federal, state and local law.

2. Resources and technical assistance may be provided by the municipality based on location and site-specific needs.

(AO No. 2021-55(S-1) , § 1, 6-22-21)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2024.

Chair

ATTEST:

Municipal Clerk